

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Theodis Walker,

Civil No. 18-1824 (DWF/KMM)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Warden Rios,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Katherine M. Menendez dated April 23, 2019. (Doc. No. 20.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Katherine M. Menendez's April 23, 2019 Report and Recommendation (Doc. No. [20]) is **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Doc. No. [1]) is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 15, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge